



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/714,333	11/14/2003	Anastasia Khvorova	13499US

23719  
 KALOW & SPRINGUT LLP  
 488 MADISON AVENUE  
 19TH FLOOR  
 NEW YORK, NY 10022



CONFIRMATION NO. 6379  
 FORMALITIES LETTER



\*OC000000011904302\*

Date Mailed: 02/13/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
 DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$86 as a non-small entity, including any required multiple dependent claim fee, are

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required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$86** for a Large Entity

- Total additional claim fee(s) for this application is **\$86**
  - **\$86** for **2** independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts  
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P.O. Box 1450  
Alexandria VA 22313-1450

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*PL*  
*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: KHVOROVA *et al.* Examiner: To be assigned  
Serial No.: 10/714,333 Group Art Unit: 1646  
Filed: November 14, 2003  
For: Functional and Hyperfunctional siRNA  
Customer No.: 23719  
Attorney: Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

June 29, 2004

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURE (Filing Date Granted)**

Sir:

This is a reply to the Notice to Comply dated February 13, 2004. A reply to the Notice was due on April 13, 2004. Pursuant to a petition for a three-month extension of time hereby requested under 37 CFR 1.136(a) and the attached fee for a three-month extension of time, the time set for a reply now expires on July 13, 2004, and therefore this reply is timely filed.

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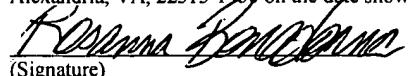
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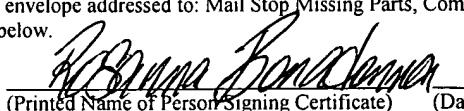
950.00 OP

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**Certificate of Express Mailing Under 37 C.F.R. § 1.10**

I hereby declare that on the date indicated below, this correspondence is being deposited with the United States Postal Service via Express Mail Label No. EV 279583133 US in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on the date shown below.

  
(Signature)

  
(Printed Name of Person Signing Certificate)

(Date)

June 29, 2004

Applicant: KHVOROVA *et al.*  
Serial No.: 10/714333  
Filed: November 14, 2003  
Reply to Notice to Comply  
June 29, 2004  
Page 2 of 2

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Enclosed herewith are the following:

1. Copy of Notice To Comply with Requirements for Patents Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed February 13, 2004;
2. Sequence listing on CD-ROM media, labeled (1) FILE COPY – SEQUENCE LISTING COPY 1 OF 3 (PAPER COPY); (2) FILE COPY – SEQUENCE LISTING COPY 2 OF 3 (ARCHIVE COPY); AND (3) FILE COPY – SEQUENCE LISTING COPY 3 OF 3 (CRF);
3. Statement under 37 C.F.R. § 1.821 that the contents of the CD that represents the paper copy are identical to the CD that represents the computer-readable form, and that no new matter has been added; and
4. Check in the total amount of \$1,036 covering:
  - i) a \$86.00 surcharge for additional claim fees as a non-small entity; and
  - ii) \$950.00 for a three-month extension of time fee under the provisions of 37 CFR 1.136(a).

If there are any questions or comments relating to this reply, the Examiner is respectfully invited to contact Applicant's attorney at the telephone number set forth below.

If any additional fees are due, or an overpayment has been made, please charge, or credit, our Deposit Account No. 11-0171 for such sum.

Respectfully submitted,

  
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Tor Smealnd  
Registration No.: 43,131  
Attorney for Applicant

Kalow & Springut LLP  
(212) 813-1600

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: KHVOROVA *et al.* Examiner: To be assigned  
Serial No.: 10/714,333 Group Art Unit: 1646  
Filed: November 14, 2003  
For: Functional and Hyperfunctional siRNA  
Customer No.: 23719

Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

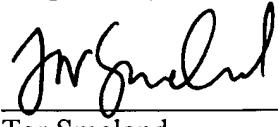
June 29, 2004

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Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 1.821**

Applicants hereby state that the CD-ROM that represents the paper copy, labeled FILE COPY – SEQUENCE LISTING COPY 1 OF 3 (PAPER COPY), is identical to the CD-ROM that represents the computer readable copy, labeled FILE COPY – SEQUENCE LISTING COPY 3 of 3 (CRF). Applicants state that no new matter has been added.

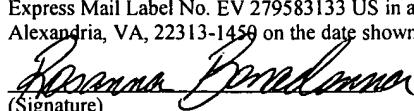
Respectfully submitted,

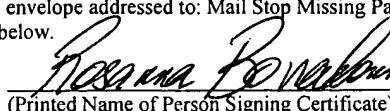
  
\_\_\_\_\_  
Tor Smealand  
Registration No.: 43,131  
Attorney for Applicants

Kalow & Springut LLP  
(212) 813-1600

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(Signature)

  
(Printed Name of Person Signing Certificate)

June 29, 2004  
(Date)